

1895-052 Chancery Causes: Jane Myers to vs. M. J. Parsons to
Lee Co.

Russell, Jesse

CA-Debt

T-Property

By Oct 3rd 1893

I promise to pay Jane Myers
Sixty nine dollars & 1/2 cts
for value received and as
to this debt I hereby waive
the benefit of the homestead
law witness my hand
and seal this Oct 3rd 1891
This note being for Land.

M. J. Garrison

Noted Aug 16 1894

Note

M. Z. Ross

A
"
"

To the Honorable W. T. Miller, Judge of the Circuit Court of Lee County, Virginia:

Humbly complaining, Your Oratrix, Jane Myers, and her husband, Wilson B. Myers, would respectfully represent, That one M. B. Parsons is justly indebted to the said Jane Myers in the sum of sixty-nine dollars and twelve cents with legal interest thereon from the 3^d day of October 1893 till paid. To show which your complainants will state that on the 3^d day of October 1891 the said M. B. Parsons executed and delivered to the said Jane Myers his bond under seal dated Oct. 3^d 1891 and now herewith filed as a part of this bill marked "A" by which said bond under seal, he bound himself by October 3^d 1893 to pay to the said Jane Myers, the said sum of \$69.12 for value received in land, and as to said debt the said M. B. Parsons waived the benefit of his homestead exemption.

Complainants state that the whole of said bond is now justly due and owing to them, no part thereof ever having been paid to them by anyone.

Complainants further state that on said 3^d day of October 1891 they bargained and sold to said M. B. Parsons a certain tract of land supposed to contain about 34½ acres, lying and being in said County near the top of

Cane Creek Ridge, a little South of the Town of Pennington Gap, and at the time of said bargain and sale complainants executed and delivered to said M. G. Parsons their certain title bond which is filed as a part hereof marked "B". And by this bond complainants bound themselves to convey to said M. G. Parsons said tract of land when the purchase money ^{therefor} should be fully paid.

And your complainants now state that the said bond for \$69.12 is the last installment of the purchase money for said land; and the same constitutes a valid and subsisting lien thereon which a Court of Equity will enforce.

Complainants further state that while these matters stood as just stated, the said M. G. Parsons bargained and sold to M. C. Parsons the said tract of land and instead of executing his ~~title~~ own bond for a title thereto, he simply delivered to said M. C. Parsons the title bond before referred to marked "B", and by the terms of the contract thus entered into between these two latter parties the said M. C. Parsons was to pay the said debt, before referred to, due complainants, and complainants were then to execute and deliver to him a proper deed of conveyance for said land and take up their own title

bond. And this contract was recognized and acknowledged by the said M. C. Parsons for he produced the said title bond and complainants made, signed and acknowledged a proper deed of conveyance to him for said land, and the same is herewith filed as a part of this bill marked "C", and the same is filed as an escrow to be delivered when said balance of the purchase money shall be paid.

Your complainants further state that after they had so signed and acknowledged said deed for record, and before said M. C. Parsons had said said bond or note to the plaintiffs, the said M. C. Parsons departed this life intestate and letters of Administration on his estate have been granted to Harvey J. Russell and John C. Jesse.

The premises considered complainants are advised that the said note or bond herein referred to constitutes a valid and subsisting lien on the said tract of land; and that it is the province of a Court of Equity to enforce the payment thereof by decreeing a sale of said land. And to obtain that relief is the object of this bill.

Your complainants therefore pray that said M. C. Parsons, and Harvey J. Russell and John C. Jesse, Admins of the Estate of M. C. Parsons, deceased, be made defend-

auto to this bill and be required to answer
the same fully on oath, and on a hearing
thereof a decree be entered in favor of
Jane Myers against said M. B. Parsons
for \$64.12, with legal interest thereon from
the 3^d day of October 1893 till paid and
the costs; and that said tract of land
be sold to pay the same. And if in any-
wise mistaken in this their special
prayer, then complainants pray for all
general relief. May the Commonwealth
writ of Spa. issue, directed &c.

L. I. Hyatt, p. q.

Jane Myers et al.

vs M. B. Parsons

1898 Oct 10th Bill filed

James Myers & al

vs.

M & J Parsons et al

Pffs

Defts

In Reply

On calling this cause at the present Term, it was announced at the bar by the Pffs attorney, that the debt to enforce the payment ^{of which} ~~thereof~~ had been settled, it is therefore adjudged ordered and decreed that the parties be hence dismissed and the cause stricken from the docket.

James Myers et al

vs. } Deceitful

M. G. Parsons et al

Enter this

Nov. 13 1895

M. J. M.

Entered on Chey O.B.K.
P 280,

The Commonwealth of Virginia,

To the Sheriff of the County of Lee--Greeting:

WE COMMAND YOU, That you summon

*M & Parsons, Harvey
J Russell & John D Reese* Admins of
the estate of *M L Parsons deceased*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held

for the said Court on the *3rd* Monday in *October*, 189*8*, to answer a

bill in Chancery, exhibited against *them* in our said court by

Jane Myers and W. B Myers her husband

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-

house, the *10th* day of *October*, 189*8*, and in the

120th year of the Commonwealth.

A B Munsey Clerk.

Jane Myers et al
SUPCENA

vs. { IN CHANCERY.
M G Parsono

L P Hyatt p. q.

To 2nd Oct Rules,

Circuit Court.

Executed by delivering
an office copy of the
within summons to
all of the within
named parties, this
Oct 16 - 1895.

J. M. Weston S. S.
for Wm P. Weston
S. L. C.

Jane Myers et al.

vs. { Chy } 3

M. J. Parsons et al.

Duncan & Hyatt. p. 9.

1895-2nd Oct rules bill filed

Spa executed & Decree nisi

" 1st Nov rules taken the
last Monday in Oct & N

" Confd & Cause set for hearing
November term 1895 Decree

final Chy ORK S P 280

Pleffo Costs

C 2.90

S 1.50

Tax 1.50

\$ 5.90